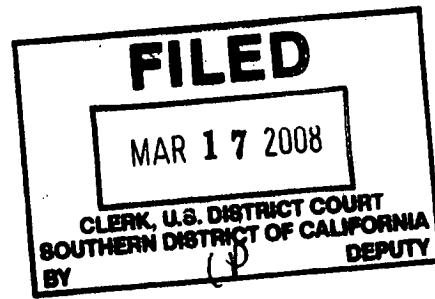


1 Hugh A. McCabe, SBN 131828
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 3 MCFALL & TREXLER
 4 A Professional Law Corporation
 4 1010 Second Avenue, Suite 2500
 5 San Diego, CA 92101-4959
 5 P 619.238.1712
 6 F 619.238.1562



7 Attorneys for Defendants
 7 FRIJOUF, RUST & PYLE, P.A. and ROBERT F. FRIJOUF
 8

9 **UNITED STATES DISTRICT COURT**

10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 '08 CV 0489 W CAB

12 PURE BIOSCIENCE, a California
Corporation,

) CASE NO.

13 Plaintiff,

) **DECLARATION OF PROOF OF
SERVICE**

14 vs.

15 FRIJOUF, RUST & PYLE, P.A., a Florida

16 Professional Association, ROBERT F.

17 FRIJOUF, an individual, and does 1 through 50
inclusive,

18 Defendants.

21 I, the undersigned, am employed in the county of San Diego, State of California. I
22 am over the age of 18 and not a party to the within action; my business address is 1010 Second
23 Avenue, Suite 2500, San Diego, California, 92101.

24 On March 14, 2008, I caused to be served the following document(s) described as follows:

25 1. NOTICE OF REMOVAL FROM STATE COURT UNDER 28 U.S.C.S1441(a);
26 on the parties in this action by placing a true copy in a sealed envelope addressed as follows:

1
2 Charles E. Brumfield, Esq.
3 1725 Gillespie Way
4 El Cajon, CA 92020
5 619.596.8600 x 138 Phone
6 619.596.8790 Fax

7

8

9

10

11

12 **BY MAIL** - As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Diego, California in the ordinary course of business. The envelope was sealed and placed for collection and mailing on this date following our ordinary practices. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

13

14 **BY CERTIFIED MAIL, Return Receipt Requested** - As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Diego, California in the ordinary course of business. The envelope was sealed and placed for collection and mailing on this date following our ordinary practices. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. The envelope was sent Certified, return receipt requested.

15

16

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19

20 **BY FAX** - As follows: I personally sent to the addressee's telecopier number a true copy of the above-described documents. Thereafter I sent a true copy in a sealed envelope addressed and mailed as indicated above.

21

22

23

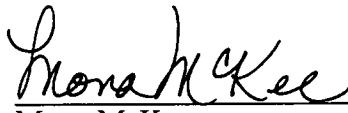
24 Executed on March 14, 2008, at San Diego, California.

25

26 I declare under penalty of perjury under the laws of the State of California, that the above is

27 true and correct.

28


Mona McKee